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8 UNITED STATES DISTRICT COURT
9 Northern District of California
10 San Francisco Division

11 GARY GIANNINI, No. C 14-05227 LB

12 Plaintiff,

13 v.

14 CARPENTERS PENSION TRUST FUND
15 FOR NORTHERN CALIFORNIA,

16 Defendant.
17 _____ /

**ORDER REGARDING
DEFENDANT'S MOTION TO
DISMISS AND CONTINUING
DEADLINES**

17 Plaintiff Gary Giannini, who is proceeding pro se, sued Defendant Carpenters Pension Trust
18 Fund for Northern California in state court. Defendant removed the action to federal court and now
19 moves to dismiss the action, arguing that Plaintiff's claims are preempted under the Employee
20 Retirement Income Security Act ("ERISA"). *See* Motion to Dismiss, ECF No. 5. Defendant filed
21 its motion on December 2, 2014, and served Plaintiff with it by mail. This means that Plaintiff's
22 opposition to the motion was due on December 19, 2014. *See* N.D. Cal. Civ. L.R. 7-3(a). To date,
23 Plaintiff has not filed any opposition.

24 Given Plaintiff's pro se status, the court issues this order to make clear to him that if he does not
25 file an opposition, he risks having the court grant Defendant's motion and dismiss his action.
26 Accordingly, the court extends the deadline for Plaintiff to file an opposition to January 8, 2015.
27 Defendant shall file any reply by January 15, 2015. The hearing on Defendant's motion is continued
28 from January 8, 2015 to January 29, 2015.

1 The court also attaches to this order a copy of the the district court's *Handbook for Litigants*
2 *Without a Lawyer*. It may also be downloaded at <http://www.cand.uscourts.gov>.

IT IS SO ORDERED.

4 || Dated: December 24, 2014

WBC

LAUREL BEELER
United States Magistrate Judge

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